

### **REMARKS**

The foregoing amendment and the following arguments are provided generally to more particularly pointing out the claimed subject matter.

Claims 1, 3-9, 13-16, 18-22 and 24-35 have been rejected. Claims 1, 3, 19 and 25 have been amended. Claims 29-35 have been cancelled without prejudice.

Reconsideration and withdrawal of the rejections set forth in the Final Office Action dated August 5, 2008 are respectfully requested. Support for the amended claims is found in the specification, the drawings, and in the claims as originally filed. No new matter has been added.

Applicant thanks the Examiner for entering the amendments and considering remarks entered after final.

### **Claim Objections**

#### **Claims 1, 3, 19, 25 and 29**

The Examiner has objected to claims 1, 3, 19, 25 and 29 because of alleged informalities. Applicant has made the appropriate changes where the Examiner has objected to not-needed punctuation marks in claims 1, 3, 19, and 25. Claim 29 has been cancelled.

The Examiner has objected to claims 1 and 19 for reciting the term "definable" where the term "definable" is allegedly not a positive limitation. Applicant respectfully disagrees.

Applicant submits that "definable" is in fact a positive limitation used to distinguish from elements that are contrastingly "not definable". Applicant thus submits that the objection to claims 1 and 19 is improper.

Withdrawal of the objections to claims 1, 3, 19, 25, and 29 are thus respectfully requested.

**35 U.S.C. §101 Rejections**

**Claim 29-35**

The Examiner has rejected claims 29-35 under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter.

Although applicant respectfully disagrees, claims 29-35 have been cancelled with the sole purpose of expediting prosecution. Applicant reserves the right to reinstate these claims in the current application or a child application.

**35 U.S.C. §102 Rejections**

**Claims 1, 3-9, 13-16, 18-19, 22, 24-29 and 31-32**

The Examiner rejected claims 1, 3-9, 13-16, 18-19, 22, 24-29 and 31-32 under 35 U.S.C. §102(e) as being allegedly anticipated by *David C. Wachtel* (U.S. Patent No. 6,847,974 hereinafter referred to as 'Wachtel'). Applicant respectfully disagrees.

***The cited reference does not disclose all the elements in the independent claims***

To anticipate a claim, the reference must teach every element of the claim.

*“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”* Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)

Applicant respectfully submits that Wachtel does not anticipate Applicant's independent claim 1 since Wachtel does not disclose each and every element of independent claim 1.

**I. Wachtel does not teach that meta-tags or metadata that is definable by an ontology (Claim 1)**

Applicant's independent claim 1 includes claimed subject matter neither taught nor suggested by Wachtel. Therefore, Applicant's independent claims are patentable over Wachtel.

For example, in independent claim 1:

*1. A method of semantically representing a target entity, the method comprising:*  
*identifying a set of meta-tags in the target entity to semantically represent a set of attributes associated with the target entity in a semantic object;*  
*wherein the set of attributes comprises at least one attribute for specifying an access policy of the semantic object representing the target entity;*  
*wherein a type of the target entity is one of a physical entity, a software entity, and an intangible entity;*  
*identifying a metadata entry for a meta-tag of the set of meta-tags;*  
*wherein the metadata entry semantically represents an attribute of the set of attributes;*  
*wherein one or more of the metadata entry and the meta-tag is definable with an ontology for enabling access to the target entity;*  
*wherein the target entity is identifiable via one or more of the meta-tag and the metadata entry associated with the semantic object.*

The Examiner asserts that "Wachtel teaches a method of semantically representing a target entity ..." (Pages 3-4 of Final Office Action mailed August 5, 2008). Applicant respectfully disagrees.

Wachtel discloses a method and apparatus for intelligent data assimilation (Title, Wachtel). The intelligent data assimilation system of Wachtel includes logical search objects that operably connect to external and internal data providers and return search results using an ontology describing atomic data objects and semantic objects (Abstract, Wachtel).

However, applicant submits that Wachtel does not describe, teach, or motivate "**metadata and meta-tags**" in a target entity that are definable by an ontology, as claimed by applicant in independent claim 1.

The system of Wachtel identifies the ontological relationship between semantic constructs and their associated logical search objects (LSOs) (**FIG. 5-6**, Wachtel).

For example, in Wachtel,

*"The intelligent data assimilation system provides data mapping tools to add semantic intelligence to atomic data with the purpose of providing users the ability to manipulate LSO results. By abstracting (grouping) various fields together into a well-defined ontology 112, an intelligent data assimilation system provides abstracted views of data allowing users to manipulate encapsulated data. For example, an intelligent data assimilation system can group a LSO called "First Name" 114 and a LSO called "Last Name" 116 into a semantic object 118 called "Name", and then group "Name" with another semantic object called "Address" 108 into a semantic object called "Person" 120."(Col. 5, lines 61-67 – Col. 6, lines 1-6)*

*"For example, a person semantic is constructed by the underlying atomic or semantic items, first name, middle name, and last name. The definition is used to create a knowledge instance of the ontology, for example when at runtime the ontology is populated with specific semantic and atomic instances returned by the LSOs." (Col. 7, lines 38-44)*

In contrast with the claimed subject matter, in Wachtel, an ontology is populated with semantic instances. The semantic objects of Wachtel do not have metadata and/or meta-tags that are "definable by an ontology", as claimed by applicant. Rather, the semantic objects (or, "LSOs") of Wachtel are used to **construct** an ontology as opposed to having metadata and/or meta-tags that are "definable by an ontology", as claimed.

Thus, applicant submits that independent claim 1 is patentable over Wachtel as Wachtel does neither anticipate nor renders obvious the subject matter of independent claim 1. The withdrawal of the rejections under 35 U.S.C. §102(e) is respectfully requested for independent claim 1.

#### Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim. Therefore, the remaining dependent claims are also patentable over the cited references. The withdrawal of the rejections under 35 U.S.C. §102(e) is respectfully requested for dependent claims 3-9, 13-16, 18-19, 22, and 24-28.

**35 U.S.C. §103 Rejections**

**Claims 20-21**

The Examiner rejected claims 20-21 under 35 U.S.C. §103(a) as being allegedly unpatentable over Wachtel as applied to claim 1 and further in view of U.S. Patent No. 7,384,196 ("Skeen"). Applicant respectfully disagrees.

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim. Therefore, the remaining dependent claims are also patentable over the cited references. The withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested for dependent claims 20-21.

**CONCLUSION**

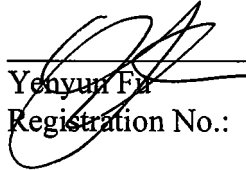
In light of the amendments and the preceding arguments, the applicant respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at (650) 838-4306 to arrange for such a conference.

The Commissioner is authorized to credit any overpayments or charge any underpayments fees to Deposit Account No. 50-2207 under matter number 61217-8008.US01.

Respectfully submitted,

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